

**Payroll Dialog Minutes**  
**May 16, 2007**

**1. Tracking Injury Pay and Cal/OSHA reporting – Dan Turner and Clark Connelly**

For on-the-job injuries, employee and supervisor must complete The State of California DWC-1 form providing information on the time, place, and description of the injury. Submission of this form starts the calendar for the deadline for investigating the claim.

The determination of injured worker status is made by a doctor and payment of OJI is authorized by the doctor's note. OJI is not paid for the first three full days of injury (calendar days, not work days) unless the employee is hospitalized, or unless the injury extends beyond 14 days. The employee may use their own leave balances during the initial three days.

The City is self-insured for worker's compensation, AARLA is the administrator.

OJI payments at 85% and 76% of base pay are a negotiated benefit provided by MOU's and Salary Resolution. Police and Fire are paid J11 and J12 for full and partial shifts, all other permanent employees are paid J19 and J20 for full and partial shifts. Temporary employees are paid at the State mandated rate of 66.66%, and are paid through AARLA.

Employees must be released to return to work by the treating physician. They can be returned to the full range of their duties, or to limited duty. Limited duty can be restricted by the type of amount of work allowed.

City Municipal Code provides for the payment of OJI for one year (2080 hours) per injury. It is the responsibility of the payroll clerk to track the hours used and discontinue OJI pay when the limit is reached. When a City scheduled holiday occurs while an employee is on OJI, continue to report the appropriate J11 or J19 code, not HOL. Vacation, Sick, Annual, and Administrative leaves continue to accrue as normal when the employee is on OJI pay.

City departments are responsible for completing the Cal/OSHA Injury and Illness Incident Report, Log of Work-Related Injuries and Illnesses, and Annual Summary of Work-Related Injuries and Illnesses (forms 301, 300 and 300A). These forms do not need to be submitted to Cal/OSHA, but need to be retained for 5 years. The Annual Summary of Work-Related Injuries must be posted at the workplace from Feb 1 to April 30 for the previous calendar year.

[http://www.dir.ca.gov/dosh/dosh\\_publications/RecKeepOverview.pdf](http://www.dir.ca.gov/dosh/dosh_publications/RecKeepOverview.pdf)  
<http://fs-ch-intweb.fresno/dbmaintenance/CityForms/Forms/PersonnelServices/135/Sup%20Investigation%20Report%20of%20Injury.dot>

## **2. Jury Duty – Yolanda**

### ***FRESNO MUNICIPAL CODE SECTION 2-1512. LEAVE FOR JURY DUTY***

*All employees shall receive their regular wages or salary during the time they are required to be absent from the duties of their position to attend any court in response to a summons for jury duty or while serving on a jury but shall pay over to the city any fees, including mileage allowances, received for such attendance or service.*

This code section does not mean that an employee necessarily receives an entire day off for jury duty even if his or her attendance is not required for that whole day. If an employee is released from jury duty during his or her regular work hours, the employee is required to report back to work, if at all practical. Of course, some accommodation may be necessary if the employee is on a night shift, but such problems should be dealt with on an individual basis.

In order to assure compliance with this code section, all employees who are absent from work for jury duty must present an attendance slip from court, which includes required hours of attendance at jury duty.

Temporary employees should only be paid for hours that, if they were not on jury duty they would ordinarily work. It does not mean pay for 8 hours if they were only scheduled to work 3 or 4 hours that day. Also, if they were not supposed to be at work on a day, no jury duty should be paid for that day.

### **Blue Collar MOU**

#### **JURY DUTY AND COURT APPEARANCES**

An employee who is assigned to a "night shift" as that term is used in Article VII, Section E. of this Agreement, and who is required to attend any court in response to a summons for jury duty or while serving on a jury will be reassigned to an 8:00 am to 5:00 pm shift for the required time in jury duty, and night shift premium pay shall not be discontinued during the period of reassignment. The employee will maintain the employee's usual days off during this time period. All employees shall receive their regular wages or salary during the time they are required to be absent from the duties of their position to attend any court in response to a summons for jury duty or while serving on a jury, but shall pay over to the City any fees, including mileage allowances, received for such attendance or service.

### **Fire and Fire Mgmt Bargaining Units**

#### **JURY DUTY**

Bargaining groups' 05A/10A (Fire) shall not be required to refund to the City any mileage reimbursement received as a result of jury duty.

### **1. What do we do with jury duty checks?**

Jury duty checks are to be endorsed by the employee and forwarded to the Finance Department, Payroll Section as soon as they are received, along with the document which itemizes the check amount.

If the check is not turned in within 60 days from the last jury duty day, it is the payroll clerk's responsibility to reverse the jury duty leave time paid and charge the employee's vacation, holiday, compensatory time, administrative leave or leave without pay if no leave time is available. If the employee then turns in the check after the reversal has been made, the leave time can be adjusted back to jury duty.

### **2. Can employees keep the mileage portion?**

Only employees in bargaining groups 05 and 10 can keep the mileage. Per MOU's, for bargaining groups 05A/10A, they are not be required to refund to the City any mileage reimbursement received as a result of jury duty.

### **3. How are the hours for jury duty posted?**

PeopleSoft - J01

Kronos - Jury Duty Leave

### **4. Are time stamp slips required from the jury duty office?**

Yes. In order to assure compliance with this code section, all employees who are absent from work for jury duty must present an attendance slip from court, which includes required hours of attendance at jury duty.

### **5. Are temporary employees entitled to receive jury duty pay?**

Yes. Temporary employees should only be paid for hours that, if they were not on jury duty they would ordinarily work. It does not mean pay for 8 hours if they were only scheduled to work 3 or 4 hours that day. Also, if they were not supposed to be at work on a day, no jury duty should be paid for that day.

### **6. An employee was summoned to jury duty and was scheduled to work a graveyard shift on the same day. Would this employee be entitled to change duty (8 hours) on this day even though the actual jury duty took place outside his normal work hours or should he be required to work that day?**

This is based on Department discretion. Also refer to Blue collar MOU.